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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,918	07/07/2003	Kelly F. Williams	91429MGB	6941

1333 7590 10/03/2006

PATENT LEGAL STAFF  
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ROCHESTER, NY 14650-2201

EXAMINER
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NGUYEN, JIMMY T

ART UNIT	PAPER NUMBER
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3725

DATE MAILED: 10/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/612,918

Applicant(s)

WILLIAMS, KELLY F.

Examiner

Jimmy T. Nguyen

Art Unit

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) 23-27 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-12, 21 and 22 is/are allowed.
- 6) ☒ Claim(s) 1-3 and 13-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 August 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Amendment***

The amendment filed on August 03, 2006 has been entered and considered and an action on the merits follows.

### ***Drawings***

The proposed drawing correction filed August 03, 2006 is objected to because it introduces new matter into the disclosure. The added material which is not supported by the original disclosure is as follows: drive motor (102) (see figure 1A). Paragraphs 0012, 0013 and 0015 of the original specification and the original claims 1, 13, 15 and 18 do not provide support for the roller 16 is driven by a drive motor.

Applicant is required to cancel the new matter in the reply to this Office Action.

### ***Specification***

The amendment filed August 03, 2006 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

In paragraph 12, lines 5-6, the words "and can be driven by a drive motor 102" are new matter. Nowhere in the original disclosure is disclosed that the roller 16 can be driven by a drive motor. Paragraphs 0012, 0013 and 0015 of the original specification and the original claims 1,

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13, 15 and 18 do not provide support for the roller 16 is driven by a drive motor. Original claim 15 recites that each of the roller is provided with a rotation drive, but it does not specifically require that the rotational drive is a drive motor to drive the roller 16.

Applicant is required to cancel the new matter in the reply to this Office Action.

***Claim Rejections - 35 USC § 102***

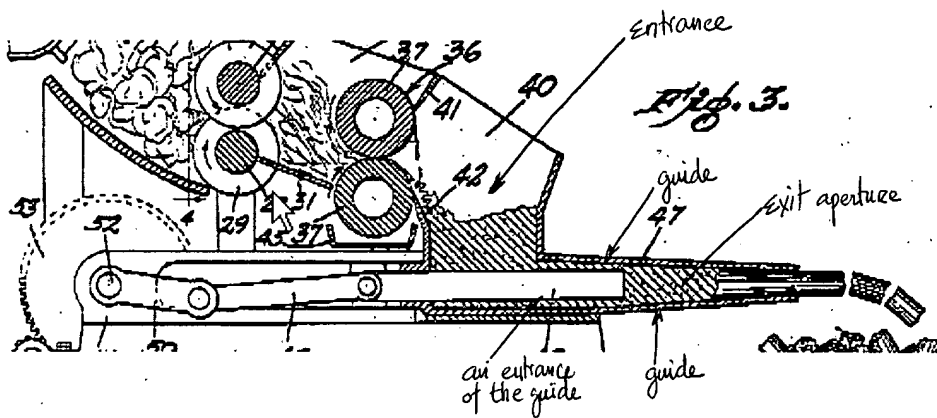
The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 1-3, 14, 15, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Paxton (US 1,819,480).** The claims are rejected for substantially the same reasons as set forth in the last Office action. Those reasons are herein repeated.

Regarding claim 1, Paxton discloses a compactor comprising: an elongate compression chamber having an entrance and an exit aperture (see the illustration below); a pair of opposing input rollers (37) located at the entrance to the pre-compression chamber, at least one of the rollers provided with rotational drive (page 2, lines 12-14); a moveable plunger (48) operable to sweep a volume of the pre-compression chamber between the entrance and the exit. Note that the limitation “slipsheet” is not positively claimed and it is being claimed as an intended use. Paxton discloses the compactor as claimed as set forth above; therefore, the compactor is capable of compacting slipsheet.



Regarding claim 2, the pre-compression chamber has a transverse cross section that is inwardly tapered towards the exit aperture (see the illustration above).

Regarding claim 3, the pre-compression chamber comprises a pair of spaced apart guides defining a passageway having an entrance at one end thereof and defining the exit aperture at the other end thereof, the passageway inwardly tapered at least in a portion in proximity to the exit aperture (see illustration above).

Regarding claim 14, at least one of the input rollers is faced with a compliant material (i.e. steel, see page 2, line 12).

Regarding claim 15, each of the opposing input roller is provided with a rotation drive (page 2, lines 13-15).

Regarding claim 19, a guide wheel (28) (the Examiner interprets the wheel (28) as the guide wheel because while it shredded material, it also guides the material into the input rollers (37)) located in proximity to the input rollers outside of the chamber.

**Claims 1, 13, 16-18 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Lee (US 2,686,466).** The claims are rejected for substantially the same reasons as set forth in the last Office action. Those reasons are herein repeated.

Regarding claim 1, Lee discloses a compactor comprising: an elongate compression chamber (A1) having an entrance (at the section where the reference number (10) is pointed to in fig. 1) and an exit aperture (at the element (56)) ; a pair of opposing input rollers (D1 and D2) located at the entrance to the pre-compression chamber, at least one of the rollers provided with rotational drive (44); a moveable plunger (L) operable to sweep a volume of the pre-compression chamber between the entrance and the exit (fig. 1). Note that the limitation “slipsheet” is not positively claimed and it is being claimed as an intended use. Lee discloses the compactor as claimed as set forth above; therefore, the compactor is capable of compacting slipsheet.

Regarding claim 13, a mechanism (49, 50 and 51) configured to sweep the plunger through the chamber along a curved path (fig. 1).

Regarding claim 16, the input roller comprises a plurality of roller units longitudinal arrayed to provide a roller surface (fig. 9).

Regarding claim 17, Lee discloses sheets of paper are being fed through the input roller (d1 and D2), which have a width smaller than a width of the chamber (figs. 1-4), and thus, Lee discloses the chamber has a width greater than a width of the sheets.

Regarding claim 18, the chamber extend between a pair of end plates (5 and 10) located at longitudinal ends thereof (fig. 1).

Regarding claim 20, one of the input rollers is moveable laterally to open the entrance to the chamber (col. 7, lines 9-11).

***Allowable Subject Matter***

Claims 4-12 and 21-22 are allowed.

The following is an examiner's statement of reasons for allowance:

Claim 4 is allowable because the art of record, considered alone or in combination, neither anticipates nor renders obvious a compactor *comprising the plunger comprises a plurality of outwardly extending fingers and at least one of the guides has corresponding channels for intermeshing with the fingers*, in combination with the rest of the claimed limitations.

Claim 5 is allowable because the art of record, considered alone or in combination, neither anticipates nor renders obvious a compactor *comprising the plunger comprises a plurality of outwardly extending fingers and at least one of the input rollers has corresponding channels in the surfaces thereof for intermeshing with the fingers*, in combination with the rest of the claimed limitations.

Claim 7 is allowable because the art of record, considered alone or in combination, neither anticipates nor renders obvious a compactor *comprising the plunger comprises a central backbone with plurality fingers extending outwardly from either side of the backbone*, in combination with the rest of the claimed limitations.

Claim 21 is allowable because the art of record, considered alone or in combination, neither anticipates nor renders obvious a compactor *comprising two input rollers, wherein a first one of the input rollers has an arc length exposed in the pre-compression chamber longer than an exposed arc length of a second one of the input rollers*, in combination with the rest of the claimed limitations.

***Response to Arguments***

Applicant's arguments filed August 03, 2006 have been fully considered but they are not persuasive. Applicant argued that neither Paxton nor Lee discloses a slipsheet or a slipsheet compactor. With respect to Applicant's assertion, this argument has been considered. However, the recitation "the pair of opposing input rollers configured to advance the slipsheet into the pre-compression chamber" (claim 1, lines 5-6) is an intended use recitation and the limitation "slipsheet" is not positively claimed. Paxton and Lee, each discloses the structure as claimed in claim 1 as set forth above; therefore, their compactors are capable of compacting slipsheet.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

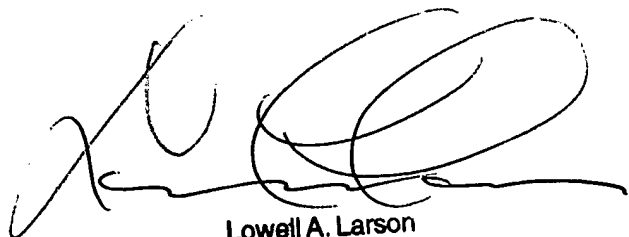
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy T. Nguyen whose telephone number is (571) 272-4520. The examiner can normally be reached on Mon-Thur 8:00am - 6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on (571) 272- 4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JTNguyen  
September 28, 2006



Lowell A. Larson  
Primary Examiner